

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:09CR457
)
v.)
)
ANTHONY PARROTT,)
JOE MARK FELIX,)
VICKI CASS,)
AMY GRIFFITH,)
YVONNE ACKERLY,)
JAMIE ACKERLY,)
)
Defendants.)

**AMENDED
PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court upon the United States' Motion for Issuance of Amended Preliminary Order of Forfeiture (Filing No. [1219](#)). The Court has reviewed the record in this case and finds as follows:

1. Plaintiff informs the Court an error was made in documenting the amount of currency seized on December 18, 2009, at 9605 S. 22nd Street, Omaha, Nebraska. Rather than \$9,500.00, the amount set forth in the Forfeiture Allegation of the Indictment and in the Preliminary Order of Forfeiture, the amount seized was actually \$9,700.00. The United States requests this Court amend the Preliminary Order of Forfeiture to reflect that amount.
2. The United States' Motion to Amend Preliminary Order of Forfeiture should be sustained.
3. Defendants have entered into Plea Agreements whereby they have agreed to enter pleas of guilty to either Counts I, II, III or the Forfeiture Allegation of an Indictment or Information. Count I of the Indictment charged them with conspiracy to distribute marijuana, in

violation of 21 U.S.C. § 846. Count II charged them with money laundering, using the proceeds from the distribution of marijuana, in violation of 18 U.S.C. §§ 1956(h) and 2. Count III sought the forfeiture, pursuant to 21 U.S.C. § 853, of several items of personal property and several pieces of real property used to facilitate the commission of the conspiracy and/or derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy.

4. By virtue of said pleas of guilty, the defendants forfeit their interests in the following properties, and the United States should be entitled to possession of said properties, pursuant to 21 U.S.C. § 853:

- a. A 2002 BMW, VIN WBAGN63462DR06986 registered to Anthony Parrott;
- b. A 2003 Chevrolet Tahoe, VIN 1GNEK13Z63J24252569 registered to Anthony Parrott;
- c. A 1998 Cadillac Seville, VIN 1G6KS54Y7WU918722 registered to Anthony Parrott;
- d. \$1,280.00 in United States Currency found on December 18, 2009, at 6918 Spring Street, #215, Omaha, Nebraska
- e. \$175,256.84 in United States currency recovered from Julio Cesar Chiquette on October 23, 2008;
- f. \$189,824.00 in United States currency recovered from Joe Mark Felix on September 4, 2009;
- g. The real property described as North 91.5 feet, West 28 feet, Lot 6, in the North 91.5 feet of Lot 7, Block 4, Parkers Addition, as surveyed, and platted in Douglas County, Nebraska, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 1923 N. 27th Street, Omaha, Nebraska;
- h. \$6,445.00 in monies delivered by Vicki Cass and Deshawn Hernandez now held as evidence at the Omaha Police Department property room;

- i. A 2005 Chrysler 300C, VIN 2C3AA63H95H132560 registered to Amy Griffith;
- j. A 2006 Ford Extended cab truck, VIN 1FTRX12W56KD21233 registered to Amy Griffith;
- k. \$9,700.00 in United States currency seized on December 18, 2009, at 9605 S. 22nd Street, Omaha, Nebraska;
- l. A 2006 Ford F-150, VIN 1FTPX14V46NB70038 registered to Yvonne and Jamie Ackerly;
- m. A 2006 Ford Taurus, VIN 1FAFP53U06A105082 registered to Yvonne Ackerly.

5. The United States' Motion for Issuance of Amended Preliminary Order of Forfeiture should be sustained. Accordingly,

IT IS ORDERED:

- A. The United States' Motion for Issuance of Amended Preliminary Order of Forfeiture is hereby sustained.
- B. Based upon Count III of the Indictment and the Forfeiture Allegations in the Informations, and the defendants' pleas of guilty, the United States is hereby authorized to seize:
 - 1. A 2002 BMW, VIN WBAGN63462DR06986 registered to Anthony Parrott;
 - 2. A 2003 Chevrolet Tahoe, VIN 1GNEK13Z63J24252569 registered to Anthony Parrott;
 - 3. A 1998 Cadillac Seville, VIN 1G6KS54Y7WU918722 registered to Anthony Parrott;
 - 4. \$1,280.00 in United States Currency found on December 18, 2009, at 6918 Spring Street, #215, Omaha, Nebraska
 - 5. \$175,256.84 in United States currency recovered from Julio Cesar Chiquette on October 23, 2008;

6. \$189,824.00 in United States currency recovered from Joe Mark Felix on September 4,2009;
7. The real property described as North 91.5 feet, West 28 feet, Lot 6, in the North 91.5 feet of Lot 7, Block 4, Parkers Addition, as surveyed, and platted in Douglas County, Nebraska, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 1923 N. 27th Street, Omaha, Nebraska;
8. \$6,445.00 in monies delivered by Vicki Cass and Deshawn Hernandez now held as evidence at the Omaha Police Department property room;
9. A 2005 Chrysler 300C, VIN 2C3AA63H95H132560 registered to Amy Griffith;
10. A 2006 Ford Extended cab truck, VIN 1FTRX12W56KD21233 registered to Amy Griffith;
11. \$9,700.00 in United States Currency seized on December 18, 2009, at 9605 S. 22nd Street, Omaha, Nebraska;
12. A 2006 Ford F-150, VIN 1FTPX14V46NB70038 registered to Yvonne and Jamie Ackerly;
13. A 2006 Ford Taurus, VIN 1FAFP53U06A105082 registered to Yvonne Ackerly.

C. The defendants' interests in the properties described immediately above are hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The aforementioned properties are to be held by the United States in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Order, Notice of Publication evidencing the United States'

intent to dispose of the properties in such manner as the Attorney General may direct, and notice that any person, other than the defendants, having or claiming a legal interest in any of the subject properties must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's alleged interest in the properties, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject properties and any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the properties subject to this Order as a substitute for published notice as to those persons so notified.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

DATED this 28th day of December, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court